

REMARKS

Entry of the foregoing, re-examination and reconsideration of the subject matter identified in caption, as amended, pursuant to and consistent with 37 C.F.R. § 1.116, and in light of the remarks which follow, are respectfully requested.

By the present Amendment, claims 6-9 have been amended to recite "a production process for carboxylic amide." No new matter has been added. Applicants respectfully submit that entry of the Amendment, after final, is proper, because the amendments place the application either in condition for allowance or in better form for appeal.

Upon entry of the Amendment, claims 6-21 will be all of the claims pending in the application.

I. Information Disclosure Statement

Applicants filed a third Information Disclosure Statement along with a Form PTO-1449 on August 24, 2006. The Examiner is respectfully requested to initial and date the Form PTO-1449 and return a signed copy to the undersigned in the next official communication.

II. Response to Rejection under 35 U.S.C. § 103(a)

Claims 6-13 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP 11-152260 (JP '260). Applicants respectfully submit that the claims as amended are patentable over JP '260 for the reasons of record and the following additional reasons.

Independent claims 6 and 7 recite production processes for carboxylic amide. On the other hand, as the Examiner notes, JP '260 discloses a method for preparing an amideamine oxide using an amideamine as a starting material. JP '260 does not disclose or suggest a method for preparing a carboxylic amide.

In view of the foregoing, Applicants respectfully submit that claims 6 and 7 are not obvious over JP '260 and thus the rejection should be withdrawn. Additionally, claims 8-13 depend from claim 6 or 7, directly or indirectly, and thus are patentable over JP '260 at least by virtue of their dependency.

III. Response to Claim Objection

Claims 14-21 were objected to as allegedly being dependent from a rejected base claim.

Applicants respectfully submit that the rejection of claims 6-9, from which claims 14-21 depend, respectively, directly or indirectly, have been overcome as set forth above, and thus claims 14-21 should be allowed.

IV. Conclusion

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (202) 452-7932 at her earliest convenience.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By:


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